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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/821,060

04/08/2004

Stuart Leslie

H0006605

9638

7590

11/25/2005

Honeywell International Inc.  
Law Department, Patent Services  
101 Columbia Road  
Morristown, NJ 07962

EXAMINER

TRUONG, BAO Q

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 11/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

**Office Action Summary**

Application No.

10/821,060

Applicant(s)

LESLIE ET AL.

Examiner

Bao Q. Truong

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/8/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. The abstract of the disclosure is objected to because "comprising" in line 2 should be changed to --including/having--. Correction is required. See MPEP § 608.01(b).

### ***Claim Objections***

2. Claims 1, 10, 12 and 16 are objected to because of the following informalities:  
  
Claim 1, "comprising" in line 3 should be changed to --having/including--.  
  
Claim 10, "comprising" in line 3 and "comprises" in line 13 should be changed to --including/having— and --includes/has--.  
  
Claim 12, there is lack of antecedent basis for "said lower housing portion".  
  
Claim 16, "seat belt" should be changed to --seatbelt-- for consistency.  
  
Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Peter Lee [US 2005/0094385].

Regarding claim 1, Peter Lee discloses a portable light source [10] having a housing [20] including a first portion [22] pivotally connecting with a second portion [21], a light emitting source [12], a battery, a switch [40, 41, 44] and a retaining clip [30] (figures 1-6, paragraph [0011], [0029-0039]).

Regarding claim 2, Peter Lee discloses a switch member [41] (figures 1-2).

Regarding claim 3, Peter Lee discloses the activation switch [44] and a circuit board [11] (figure 1-3, paragraph [0032] and [0037]).

Regarding claims 4 and 9, Peter Lee discloses LEDs (paragraph [0032]).

Regarding claims 5 and 8, Peter Lee discloses LEDs being disposed with a recesses portion (figures 1-2).

Regarding claim 6, Peter Lee discloses the retaining clip [30] and the portable light source [10] being configured to receive a vehicle seat belt (figures 4A and 6).

Regarding claim 7, Peter Lee discloses the retaining clip [30] being pivotally mounted to the second housing portion [21] (figures 1-6).

Regarding claims 10 and 11, Peter Lee discloses a portable light source [10] having a housing [20] including a first portion [22] pivotally connecting with a second portion [21], a light emitting source [12], a battery, a switch [40, 41, 44] and a retaining clip [30] with an engagement tab (figures 1-6, paragraph [0011], [0029-0039]).

Regarding claims 12 and 19, Peter Lee discloses the second housing [21] having a movable engagement tab [230, 232] being rotatable (figures 1-2).

Regarding claim 13, Peter Lee discloses the movable engagement tab [230, 232] further having a pair of projections [23] for engaging a portion of the first housing portion [22] (figures 1-2).

Regarding claim 14, Peter Lee discloses the movable engagement tab [230, 232] being integrally formed with the second housing portion [21] (figures 1-2).

Regarding claims 15 and 23, Peter Lee discloses a portable light source [10] having a housing [20] including an upper housing portion [22] pivotally connecting with a lower housing portion [21], a light emitting source [12] recessed therein, a battery and a switch [40, 41, 44] (figures 1-6).

Regarding claims 16 and 22, Peter Lee discloses a retaining clip [30] (figures 1-6).

Regarding claim 17, Peter Lee discloses the clip having a protrusion (figure 2).

Regarding claim 18, Peter Lee discloses the lower housing portion [21] receiving a plurality of batteries (figure 2).

Regarding claim 20, Peter Lee discloses the light carrying portion being integrally formed with the upper housing portion (figures 1-2).

Regarding claim 21, Peter Lee discloses a circuit board [11] with LEDs [12] (figure 2).

**Conclusion**

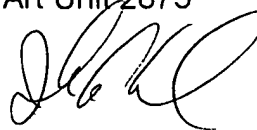
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Peter Lee [US 2004/0052091] discloses a light device for seat belts.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Q. Truong whose telephone number is (571) 272-2383. The examiner can normally be reached on Monday-Friday (8:00 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bao Q. Truong  
Examiner  
Art Unit 2875



JOHN ANTHONY WARD  
PRIMARY EXAMINER